

SECRET

27-CIA-20

19 April 1951

SUBJECT: Copies Official Secrets Act Pledge

TO: Chief, BORNYTH

[]

ATTENTION: []

✓ INFO: Chief, BORNYTH
Washington, D.C.
ATTN: []

Frankfurt, Germany
ATTN: []

1. Attached are copies of the Official Secrets Act Pledge, used by Jagged when signing on a candidate, and also the Declaration of Termination of Engagement, used when disposing of a candidate.

2. It is noted that Identities A and B [] 867, are now in the process of signing such an act and copies will be sent to [] and [] when we have received these.

3. No effort has been made to have [] arrange for [] candidates to sign these pledges in view of [] wishes as expressed to [] verbally. However, copies are forwarded for [] information.

4. It is noted that these pledges are not legally binding in the case of aliens; but, as has been noted before, the actual signing does throw the fear of God into the candidate and prevents his talking loosely, especially since there is a real possibility of his being deported from this country if he violates the pledge.

DECLASSIFIED AND RELEASED BY
CENTRAL INTELLIGENCE AGENCY
SOURCESMETHODSEXEMPTION 382B
NAZI WAR CRIMES DISCLOSURE ACT
DATE 2007

HFB/poc

INIT: [] Original and 2, w/3 enclosures
COPY: One copy and 3 enclosures
FILE: Two copies and 3 enclosures

SECRET



OFFICIAL SECRETS ACTS, 1911 and 1920.

2. "(1) If any person having in his possession or control any secret official code word, or pass word, or any sketch, plan, model, article, note, document, or information which relates to or is used in a prohibited place or anything in such a place, or which has been made or obtained in contravention of this Act, or which has been entrusted in confidence to him by any person holding office under His Majesty or which he has obtained or to which he has had access owing to his position as a person who holds or has held office under His Majesty or has held a contract made on behalf of His Majesty or as a person who is or has been employed under a person who holds or has held such an office or contract,—

- (a) communicates the code word, pass word, sketch, plan, model, article, note, document, or information to any person, other than a person to whom he is authorised to communicate it, or a person to whom it is in the interest of the State his duty to communicate it, or
- (aa) uses the information in his possession for the benefit of any foreign power or in any other manner prejudicial to the safety or interests of the State, or
- (b) retains the sketch, plan, model, article, note, or document in his possession or control when he has no right to retain it or when it is contrary to his duty to retain it, or fails to comply with all directions issued by lawful authority with regard to the return or disposal thereof, or
- (c) fails to take reasonable care of, or so conducts himself as to endanger the safety of the sketch, plan, model, article, note, document, secret official code, or pass word or information;

that person shall be guilty of a misdemeanour.

(1a) If any person having in his possession or control any sketch, plan, model, article, note, document, or information which relates to munitions of war, communicates it directly or indirectly to any foreign power, or in any other manner prejudicial to the safety or interests of the State, that person shall be guilty of a misdemeanour.

(2) If any person receives any secret official code word, or pass word, or sketch, plan, model, article, note, document, or information, knowing, or having reasonable grounds to believe, at the time when he receives it, that the code word, pass word, sketch, plan, model, article, note, document, or information is communicated to him in contravention of this Act, he shall be guilty of a misdemeanour, unless he proves that the communication to him of the code word, pass word, sketch, plan, model article, note, document, or information was contrary to his desire.

8 (2) Any person who is guilty of a misdemeanour under the Official Secrets Act 1911 and 1920 shall be liable on conviction or indictment to imprisonment, with or without hard labour, for a term not exceeding two years, or, on conviction under the Summary Jurisdiction Acts, to imprisonment, with or without hard labour, for a term not exceeding three months or to a fine not exceeding fifty pounds or both such imprisonment and fine."

I understand that the above clauses of the Official Secrets Act 1911 and 1920, cover also articles published in the press and in book form, and I undertake not to divulge any official information gained by me as a result of my employment, either in the press or in book form. I also understand that these provisions apply not only during the period of service but also after employment has ceased.

Signature.....

Witness *Date.....*

OFFICIAL SECRETS ACTS, 1911 and 1920.

2 "(1) If any person having in his possession or control any secret official code word, or pass word, or any sketch, plan, model, article, note, document, or information which relates to or is used in a prohibited place or anything in such a place, or which has been made or obtained in contravention of this Act, or which has been entrusted in confidence to him by any person holding office under His Majesty or which he has obtained or to which he has had access owing to his position as a person who holds or has held office under His Majesty or has held a contract made on behalf of His Majesty or as a person who is or has been employed under a person who holds or has held such an office or contract,—

- (a) communicates the code word, pass word, sketch, plan, model, article, note, document, or information to any person, other than a person to whom he is authorised to communicate it, or a person to whom it is in the interest of the State his duty to communicate it, or
- (aa) uses the information in his possession for the benefit of any foreign power or in any other manner prejudicial to the safety or interests of the State, or
- (b) retains the sketch, plan, model, article, note, or document in his possession or control when he has no right to retain it or when it is contrary to his duty to retain it, or fails to comply with all directions issued by lawful authority with regard to the return or disposal thereof, or
- (c) fails to take reasonable care of, or so conducts himself as to endanger the safety of the sketch, plan, model, article, note, document, secret official code, or pass word or information;

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(2) If any person receives any secret official code word, or pass word, or sketch, plan, model, article, note, document, or information, knowing, or having reasonable grounds to believe, at the time when he receives it, that the code word, pass word, sketch, plan, model, article, note, document, or information is communicated to him in contravention of this Act, he shall be guilty of a misdemeanour, unless he proves that the communication to him of the code word, pass word, sketch, plan, model article, note, document, or information was contrary to his desire.

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Witness Date.....

Declaration on Termination of Engagement.

My attention has been drawn to the provisions of section 2 (1), (1a), (2) and 8 (2) of the Official Secrets Acts, 1911 and 1920, which are set out below, and I understand the effect of these sections.

OFFICIAL SECRETS ACTS, 1911 and 1920.

Wrongful

Communication, etc., of Information.

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- (a) communicates the code word, pass word, sketch, plan, model, article, note, document, or information to any person, other than a person to whom he is authorised to communicate it, or a person to whom it is in the interest of the State his duty to communicate it, or
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- (b) retains the sketch, plan, model, article, note, or document in his possession or control when he has no right to retain it or when it is contrary to his duty to retain it, or fails to comply with all directions issued by lawful authority with regard to the return or disposal thereof, or
- (c) fails to take reasonable care of, or so conducts himself as to endanger the safety of the sketch, plan, model, article, note, document, secret official code, or pass word or information;

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Provisions as to Trial and Punishment of Offences.

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3. I further understand that any failure on my part to observe the requirements of the Official Secrets Acts, as defined above, may, in addition to the penalties prescribed, involve forfeiture of the pension due to me for service with this Service.

4. I hereby declare that I have

- (a) surrendered all official papers and documents held by me during my connection with this Service.
- (b) returned to the Supplies Officer or other appropriate authority, all property that I have received on loan from this Service (e.g. cameras, pistols, portable typewriters, watches, wireless equipment, etc., etc,) and I have been given a receipt for same.

unto His Majesty or which he has obtained or to which he has had access owing to his position as a person who holds or has held office under His Majesty or has held a contract made on behalf of His Majesty or as a person who is or has been employed under a person who holds or has held such an office or contract,—

- (a) communicates the code word, pass word, sketch, plan, model, article, note, document, or information to any person, other than a person to whom he is authorised to communicate it, or a person to whom it is in the interest of the State his duty to communicate it, or
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Signature

Address

(for future communications)

.....

Witness

Date